

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:
96 Wythe Acquisition LLC,
Debtor.

Chapter 11
Case No.: 21-22108 (RDD)

**ORDER PURSUANT TO SECTIONS 327(a) AND 328 OF THE
BANKRUPTCY CODE AUTHORIZING THE EMPLOYMENT AND
RETENTION OF GLASSRATNER ADVISORY & CAPITAL GROUP,
LLC d/b/a B. RILEY ADVISORY SERVICES AS A LITIGATION
SUPPORT CONSULTANT EFFECTIVE AS OF DECEMBER 30, 2021**

Upon the application, dated January 24, 2022 (the “Application”) of the debtor and debtor in possession herein (the “Debtor”) for an order pursuant to sections 327(a) and 328 of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Bankruptcy Rules 2014-1 and 2016-1 authorizing the employment and retention of GlassRatner Advisory & Capital Group, LLC d/b/a B. Riley Advisory Services (“B. Riley”) as a litigation support consultant, effective as of December 30, 2021, pursuant to the terms set forth in the Application to provide specific litigation support consulting and related services to the Debtor as described in the Application (the “Limited Litigation Support Services”); and upon the accompanying Declaration of James Howard; and, after due and sufficient notice of the Application and the opportunity for a hearing thereon, there being no objections to the requested relief; and no additional notice or a hearing being required; and after due deliberation it appearing that B. Riley neither holds nor represents an interest adverse to the Debtor or its estate, that it is a “disinterested person” as that term is defined under section 101(14) of the Bankruptcy Code, and that its employment is necessary and in the best interests of the estate; and good and sufficient cause appearing, it is hereby

ORDERED, that:

1. The Application is granted as set forth herein.
2. Pursuant to sections 327(a) and 328 of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Bankruptcy Rules 2014-1 and 2016-1, the Debtor, as debtor and debtor in possession,

is authorized to employ and retain B. Riley, effective as of December 30, 2021, to serve as a litigation support consultant in this chapter 11 case to perform the Limited Litigation Support Services.

3. To the extent that any additional tasks are identified that are not included as part of the Limited Litigation Support Services, B. Riley will file a supplemental declaration in accordance with Bankruptcy Rule 2014 and provide notice of the filing sufficient to afford parties in interest an opportunity to object.

4. B. Riley shall use its best efforts to avoid duplication of services provided by any of the Debtor's other retained professionals in this chapter 11 case.

5. B. Riley shall be compensated and reimbursed under, and apply for compensation for professional services rendered and reimbursement of expenses incurred pursuant to, sections 330 and 331 of the Bankruptcy Code, as the case may be, and the applicable Bankruptcy Rules, Local Bankruptcy Rules, and fee and expense guidelines and orders of the Court.

6. Notice of the Application as provided therein is good and sufficient notice of such Application and the requirements of Bankruptcy Rule 6004(h) and the Local Bankruptcy Rules are satisfied by such notice.

7. Notwithstanding any provision in the Bankruptcy Rules to the contrary, the terms and conditions of this Order are effective and enforceable immediately upon its entry.

8. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order in accordance with the Application.

9. In the event of any inconsistency between the Application and this Order or any retention agreement, the terms of this Order shall govern, including, without limitation, as to the Court's jurisdiction to decide any dispute with respect to this Order and B. Riley's right to compensation and reimbursement.

10. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: White Plains, New York
February 23, 2022

/s/Robert D. Drain

HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE